

Union Calendar No. 472

106TH CONGRESS
2D SESSION

H. R. 1113

[Report No. 106-811]

To assist in the development and implementation of projects to provide for the control of drainage, storm, flood and other waters as part of water-related integrated resource management, environmental infrastructure, and resource protection and development projects in the Colusa Basin Watershed, California.

IN THE HOUSE OF REPRESENTATIVES

MARCH 16, 1999

Mr. OSE (for himself, Mr. DOOLITTLE, Mr. MATSUI, Mr. HERGER, Mr. THOMPSON of California, Mr. POMBO, and Mr. RADANOVICH) introduced the following bill; which was referred to the Committee on the Committee on Resources

SEPTEMBER 6, 2000

Additional sponsors: Mr. CAPUANO, Mr. SIMPSON, Mr. GIBBONS, Mrs. CHENOWETH-HAGE, Mr. PETERSON of Pennsylvania, Mr. CONDIT, and Mr. DOOLEY of California

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on March 16, 1999]

A BILL

To assist in the development and implementation of projects to provide for the control of drainage, storm, flood and other waters as part of water-related integrated resource

management, environmental infrastructure, and resource protection and development projects in the Colusa Basin Watershed, California.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Colusa Basin Watershed*
 5 *Integrated Resources Management Act”.*

6 **SEC. 2. AUTHORIZATION OF ASSISTANCE.**

7 *The Secretary of the Interior (in this Act referred to*
 8 *as the “Secretary”), acting within existing budgetary au-*
 9 *thority, may provide financial assistance to the Colusa*
 10 *Basin Drainage District, California (in this Act referred*
 11 *to as the “District”), for use by the District or by local*
 12 *agencies acting pursuant to section 413 of the State of Cali-*
 13 *fornia statute known as the Colusa Basin Drainage Act*
 14 *(California Stats. 1987, ch. 1399) as in effect on the date*
 15 *of the enactment of this Act (in this Act referred to as the*
 16 *“State statute”), for planning, design, environmental com-*
 17 *pliance, and construction required in carrying out eligible*
 18 *projects in the Colusa Basin Watershed to—*

19 (1)(A) *reduce the risk of damage to urban and*
 20 *agricultural areas from flooding or the discharge of*
 21 *drainage water or tailwater;*

22 (B) *assist in groundwater recharge efforts to al-*
 23 *leviate overdraft and land subsidence; or*

1 (C) construct, restore, or preserve wetland and
2 riparian habitat; and

3 (2) capture, as an incidental purpose of any of
4 the purposes referred to in paragraph (1), surface or
5 stormwater for conservation, conjunctive use, and in-
6 creased water supplies.

7 **SEC. 3. PROJECT SELECTION.**

8 (a) *ELIGIBLE PROJECTS.*—A project shall be an eligi-
9 ble project for purposes of section 2 only if it is—

10 (1) consistent with the plan for flood protection
11 and integrated resources management described in the
12 document entitled “Draft Programmatic Environ-
13 mental Impact Statement/Environmental Impact Re-
14 port and Draft Program Financing Plan, Integrated
15 Resources Management Program for Flood Control in
16 the Colusa Basin”, dated May 2000; and

17 (2) carried out in accordance with that docu-
18 ment and all environmental documentation require-
19 ments that apply to the project under the laws of the
20 United States and the State of California.

21 (b) *COMPATIBILITY REQUIREMENT.*—The Secretary
22 shall ensure that projects for which assistance is provided
23 under this Act are not inconsistent with watershed protec-
24 tion and environmental restoration efforts being carried out
25 under the authority of the Central Valley Project Improve-

1 *ment Act (Public Law 102–575; 106 Stat. 4706 et seq.) or*
 2 *the CALFED Bay-Delta Program.*

3 **SEC. 4. COST SHARING.**

4 (a) *NON-FEDERAL SHARE.*—*The Secretary shall re-*
 5 *quire that the District and cooperating non-Federal agen-*
 6 *cies or organizations pay—*

7 (1) *25 percent of the costs associated with con-*
 8 *struction of any project carried out with assistance*
 9 *provided under this Act; and*

10 (2) *100 percent of any operation, maintenance,*
 11 *and replacement and rehabilitation costs with respect*
 12 *to such a project.*

13 (b) *PLANNING, DESIGN, AND COMPLIANCE ASSIST-*
 14 *ANCE.*—*Funds appropriated pursuant to this Act may be*
 15 *made available to fund all costs incurred for planning, de-*
 16 *sign, and environmental compliance activities by the Dis-*
 17 *trict or by local agencies acting pursuant to the State stat-*
 18 *ute, in accordance with agreements with the Secretary.*

19 (c) *TREATMENT OF CONTRIBUTIONS.*—*For purposes of*
 20 *this section, the Secretary shall treat the value of lands, in-*
 21 *terests in lands (including rights-of-way and other ease-*
 22 *ments), and necessary relocations contributed by the Dis-*
 23 *trict to a project as a payment by the District of the costs*
 24 *of the project.*

1 **SEC. 5. COSTS NONREIMBURSABLE.**

2 *Amounts expended pursuant to this Act shall be con-*
3 *sidered nonreimbursable for purposes of the Act of June 17,*
4 *1902 (32 Stat. 388; 43 U.S.C. 371 et seq.), and Acts amend-*
5 *atory thereof and supplemental thereto.*

6 **SEC. 6. AGREEMENTS.**

7 *Funds appropriated pursuant to this Act may be made*
8 *available to the District or a local agency only if the Dis-*
9 *trict or local agency, as applicable, has entered into a bind-*
10 *ing agreement with the Secretary—*

11 *(1) under which the District or the local agency*
12 *is required to pay the non-Federal share of the costs*
13 *of construction required by section 4(a); and*

14 *(2) governing the funding of planning, design,*
15 *and compliance activities costs under section 4(b).*

16 **SEC. 7. REIMBURSEMENT.**

17 *For project work (including work associated with stud-*
18 *ies, planning, design, and construction) carried out by the*
19 *District or by a local agency acting pursuant to the State*
20 *statute in section 2 before the date amounts are provided*
21 *for the project under this Act, the Secretary shall, subject*
22 *to amounts being made available in advance in appropria-*
23 *tions Acts, reimburse the District or the local agency, with-*
24 *out interest, an amount equal to the estimated Federal share*
25 *of the cost of such work under section 4.*

1 **SEC. 8. COOPERATIVE AGREEMENTS.**

2 (a) *IN GENERAL.*—*The Secretary may enter into coop-*
 3 *erative agreements and contracts with the District to assist*
 4 *the Secretary in carrying out the purposes of this Act.*

5 (b) *SUBCONTRACTING.*—*Under such cooperative agree-*
 6 *ments and contracts, the Secretary may authorize the Dis-*
 7 *trict to manage and let contracts and receive reimburse-*
 8 *ments, subject to amounts being made available in advance*
 9 *in appropriations Acts, for work carried out under such*
 10 *contracts or subcontracts.*

11 **SEC. 9. RELATIONSHIP TO RECLAMATION REFORM ACT OF**
 12 **1982.**

13 *Activities carried out, and financial assistance pro-*
 14 *vided, under this Act shall not be considered a supplemental*
 15 *or additional benefit for purposes of the Reclamation Re-*
 16 *form Act of 1982 (96 Stat. 1263; 43 U.S.C. 390aa et seq.).*

17 **SEC. 10. APPROPRIATIONS AUTHORIZED.**

18 *Within existing budgetary authority and subject to the*
 19 *availability of appropriations, the Secretary is authorized*
 20 *to expend up to \$25,000,000, plus such additional amount,*
 21 *if any, as may be required by reason of changes in costs*
 22 *of services of the types involved in the District's projects*
 23 *as shown by engineering and other relevant indexes to carry*
 24 *out this Act. Sums appropriated under this section shall*
 25 *remain available until expended.*

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